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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 PETRA RUSSELL,

11 Plaintiff,

12 v.

13 WADOT CAPITAL, INC., et al.,

14 Defendants.

CASE NO. C22-0531JLR

SHOW CAUSE ORDER

15 Federal Rule of Civil Procedure 4 requires a plaintiff to serve the defendant with a  
16 summons and a copy of the plaintiff's complaint and sets forth the specific requirements  
17 for doing so. *See* Fed. R. Civ. P. 4. Rule 4(m), which provides the timeframe in which  
18 service must be effectuated, states in relevant part:

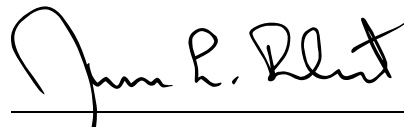
19 If a defendant is not served within 90 days after the complaint is filed, the  
20 court—on motion or on its own after notice to the plaintiff—must dismiss  
21 the action without prejudice against that defendant or order that service be  
22 made within a specified time. But if the plaintiff shows good cause for the  
failure, the court must extend the time for service for an appropriate period.

1 *Id.*; *see also Boden v. City of Topeka, Kan.*, 441 F.3d 1129, 1148 (10th Cir. 2006)  
2 (requiring newly added defendants to be served within 90 days after an amended  
3 complaint is filed).

4 On October 26, 2022, Plaintiff Petra Russell filed a second amended complaint  
5 adding Jared Ekdahl and National Capital Partners, Inc. (together, the “NCP  
6 Defendants”) as Defendants. (2d Am. Compl. (Dkt. # 31); *see also* Prop. 2d Am. Compl.  
7 (Dkt. # 29-2) (highlighting the additions and changes made in the second amended  
8 complaint).) Although over six months have passed since she filed her second amended  
9 complaint, Ms. Russell has not filed proof that she has served the NCP Defendants with a  
10 summons and a copy of her second amended complaint within the 90-day timeframe  
11 provided in Rule 4(m). (*See generally* Dkt.)

12 Accordingly, the court ORDERS Ms. Russell to SHOW CAUSE, by May 17,  
13 2023, why her claims against the NCP Defendants should not be dismissed for failure to  
14 comply with Rule 4(m). Alternatively, Ms. Russell may respond, by May 17, 2023, with  
15 proof that the NCP Defendants have in fact been served or have agreed to waive service.  
16 If Ms. Russell does not demonstrate good cause for the failure to comply with Rule 4(m),  
17 the court will dismiss her claims against the NCP Defendants without prejudice.

18 Dated this 10th day of May, 2023.

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21 JAMES L. ROBART  
22 United States District Judge